IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 136 OF 2006
IN
WRIT PETITION NO. 1216 OF 2005

The State of Maharashtra and Ors.... Applicants
Versus
M/s. Deshmukh Builders Pvt. Ltd. ... Respondents

Mr. N.P. Deshpande, A.G.P. for Applicants.

Mr. C.J. Sawant, Sr. Advocate with Mr. R.D. Soni i/by Ram & Co. for Respondents.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : FEBRUARY 03, 2006

P.C.

. The Petition was disposed of by order dated 8.6.2005. By that order, the respondents had to make allotment on or before 31.12.2005 and on failure to make allotment or the Government's nominee failing to pay the price of the flat and enter into an agreement with builder before the said date, the flats in question were to stand released from the reservation.

. By the present application, the applicants point out that only 10 nominees have entered into an agreement. With regard to 43 flats, nobody has come forward and in these circumstances, they have

prayed that the respondents be directed to pay to the applicants, difference between the market price and the Government determined price or in the alternative to extend the limit by six more months i.e. upto 30.6.2006.

. The order of this court was self explanatory, self operative and clear. In other words, failure of the respondents to make allotment or entering into an agreement with the builder within specified period, the flats stood dereserved and were to be released from reservation.

. Considering that, it really would not be possible to consider the reliefs as prayed for by the respondent herein. Prayer Clause (a) would not be maintainable. In so far as Prayer Clause (b) is concerned, after hearing the parties, we are inclined to extend the period upto 31.3.2006. The time granted by this court by order dated 8.6.2005, is extended upto 31.3.2006. This extension is given on the assurance on behalf of the respondents, that they will not ask for any further time. With the above observations, application

stands disposed of.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)